

**Findings of Failure to Submit State Implementation Plans Required for the
2008 Lead National Ambient Air Quality Standards (NAAQS)
FACT SHEET**

ACTION

- On February 7, 2014, the U.S. Environmental Protection Agency (EPA) finds that the Commonwealth of Pennsylvania has not submitted state implementation plans (SIPs) necessary to meet Clean Air Act (CAA) requirements and to attain the 2008 lead National Ambient Air Quality Standards (NAAQS).
- Pennsylvania has not yet submitted SIPs for three nonattainment areas -- the Lyons and North Reading nonattainment areas in Berks County and the Lower Beaver Valley nonattainment area in Beaver County -- that were due June 30, 2012, 18 months after the effective date of designations. The SIPs, known as attainment SIPs are required to demonstrate how each nonattainment area would attain the 2008 lead standards as expeditiously as practicable, but no later than December 31, 2015.
- If the EPA has not determined that Pennsylvania has made the required complete nonattainment SIP submissions within 18 months of the effective date of this action, then emission offsets requirements identified in CAA could apply. New or modified sources of lead emissions within the nonattainment areas would need to offset each ton of their emissions with a reduction of 2 tons (2:1 offset) from other sources of lead within the area.
- If within 2 years of the effective date of this notice, the EPA has not determined that Pennsylvania has submitted a required SIP, then the highway funding sanction also would apply in the affected nonattainment area.
- No later than 2 years after the effective date of this finding, the EPA must promulgate a Federal Implementation Plan (FIP) if Pennsylvania has not submitted a required attainment SIP and the EPA has not approved it.

BACKGROUND

- On October 15, 2008, the EPA promulgated revised NAAQS for lead. The agency revised the level of the primary lead standard from 1.5 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) to $0.15 \mu\text{g}/\text{m}^3$, and also revised the averaging time and form of the lead standards. The calculation method for the averaging time is a “rolling” 3-month period with a maximum (not-to-be-exceeded) form, evaluated over a 3-year period. The EPA also revised the secondary NAAQS to make it identical to the revised primary standard.
- In conjunction with strengthening the lead standards, the EPA improved the existing lead monitoring network by requiring monitors to be placed in areas with sources, such as certain industrial facilities, and at other sites.
- Under the CAA, the attainment SIP for these areas is required to show how the nonattainment area will attain the 2008 lead NAAQS as expeditiously as practicable, but no later than five years after designation, or December 31, 2015.

- The attainment demonstration provides details on how a nonattainment area will reduce pollution and provides a plan for the area to meet the lead NAAQS. The Clean Air Act specifies the required elements of a SIP for an area designated nonattainment for the 2008 lead NAAQS. These requirements include, but are not limited to, an attainment demonstration, modeling air quality that meets the standards by the Clean Air Act deadline, reasonably available control measures (RACM) and reasonably available control technology (RACT) for appropriate emissions sources, annual emissions reductions as necessary to ensure reasonable further progress (RFP) and contingency emissions control measures that could be relied upon if needed.
- If EPA publishes in the *Federal Register* a clean data determination for an area, a state's obligation to submit RACM/RACT, contingency measures, RFP and attainment demonstrations for that area are suspended. This suspension will remain in effect unless:
 - the EPA determines, after notice-and-comment rulemaking, that the area has again violated the 2008 Lead NAAQS, in which case the requirements are again due; or
 - the area is redesignated to attainment, in which case the requirements are permanently no longer applicable.

FOR MORE INFORMATION

- For more information on this final action go to the EPA's Web site at <http://www.epa.gov/airquality/lead/actions.html> or contact Mia South at 919-541-5550 or south.mia@epa.gov.